

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 03 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 14 2003 under 70587

The applicant **James E. and Susan M. Gallagher**, hereby make application for permission to change the **point of diversion of a portion of water heretofore appropriated under Permit 48871 Cert. 13200**

1. The source of water is **underground**
2. The amount of water to be changed **.65 cfs and zero afa**
3. The water to be used for **Irrigation and domestic**
4. The water heretofore permitted for **Irrigation and domestic**
5. The water is to be diverted at the following point in **Lot 3 from which point the East quarter corner of Sec 4 T21N R54E, M.D.B.&M. bears South 62°46'54" East at 2993.46' distance**
6. The existing permitted point of diversion is located within **SE¼ of NE¼ Sec. 4, T21N, R54E, M.D.B.&M. or at a point from which the East ¼ corner of said Sec. 4 bears South 77°56' East a distance of 789.4 feet.**
7. Proposed place of use **38.0 ac NE¼ NE¼, 38.0 ac SE¼ NE¼, 39.0 ac NW¼ NE¼, 39.0 ac SW¼ NE¼, 29.6 ac NE¼ NW¼ 29.6 ac SE¼ NW¼ of Sec 4, T21N, R54E. M.D.B.&M.**
8. Existing place of use **38.0 ac. NE¼ NE¼, 38.0 ac SE¼ NE¼ 39.0 ac NW¼ NE¼, 39.0 ac SW¼ NE¼, 29.6 ac NE¼ NW¼ 29.6 ac SE¼ NW¼ of Sec 4, T21N, R54E, M.D.B.&M.**
9. Use will be from **January 1 to December 31 of each year.**
10. Use was permitted from **January 1 to December 31 of each year.**
11. Description of proposed works **new well, pump and distribution system**
12. Estimated cost of works **60,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **With the additional pumping in our area (3 adjacent well have been reactivated in last 4 years) the pumping level has dropped substaneley. My existing system no longer provides enough water to adequately irrigate my fields. With a new well and the additional flow transferred from Section 5 my farm will be a more economical unit.**

By **James E. Gallagher**
s/J Gallagher
H.C. 62 Box 62143
Eureka NV 89316

Compared cmf/ sam ag/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 48871, Certificate 13200 is issued subject to the terms and conditions imposed in said Permit 48871, Certificate 13200 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48871, Certificate 13200; Permit 48872, Certificate 13201; Permit 70587 and Permit 70588 shall not exceed 852.7 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.65 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 8, 2005

Proof of completion of work shall be filed on or before:

July 8, 2005

Water must be placed to beneficial use on or before:

June 8, 2008

Proof of the application of water to beneficial use shall be filed on or before:

July 8, 2008

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of June, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____